

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME The Mississippi Department of Environmental Quality and The Mississippi Commission on Environmental Quality		CONTACT PERSON Ted Lampton, Senior Attorney		TELEPHONE NUMBER 601-961-5573	
ADDRESS P.O. Box 2261		CITY Jackson		STATE MS	ZIP 39225
EMAIL Ted_Lampton@deq.state.ms.us	SUBMIT DATE 10/23/15	Name or number of rule(s): 11 Miss. Admin. Code Pt. 1, Ch. 1 ("Commission Regulations regarding the Delegation of Authority from the Mississippi Commission on Environmental Quality to the Executive Director of the Mississippi Department of Environmental Quality")			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This proposed rule clarifies the Executive Director's authority to issue Orders under circumstances prescribed by Mississippi Surface Coal Mining and Reclamation Law, Miss. Code Ann. §53-9-69(1)(b), and delegates further authority from the Mississippi Commission on Environmental Quality to the Executive Director, consistent with the law, and makes numerous formatting changes.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 49-2-9(1)(b) (Rev. 2012).

List all rules repealed, amended, or suspended by the proposed rule: 11 Miss. Admin. Code Pt. 1, Ch. 1

ORAL PROCEEDING:

☒ An oral proceeding was held for this rule on: Date: 10/14/15 Time: 4:00 p.m. Place: Mississippi Department of Environmental Quality, First Floor Hearing Room, 515 East Amite Street, Jackson, Mississippi 39201

☐ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>8/27/15</u> Action taken: _____ Adopted with no changes in text <input checked="" type="checkbox"/> Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Ted Lampton, Senior Attorney, MDEQ

Signature of person authorized to file rules: //s// Ted Lampton

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; padding: 10px; text-align: center;"> FILED OCT 23 2015 MISSISSIPPI SECRETARY OF STATE </div> Accepted for filing by <u>21003</u> <u>AF</u>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.